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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	Not Yet Assigned
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				First Named Inventor	David David Hildebrand
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	47100-222154

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/DK/	AA	US-5,773,691	06-30-1998	FALCO et al.	
	AB	US-5,367,110	11-22-1994	CALLI et al.	
	AC	US-6,093,568	07-25-2000	DAVIES et al.	
	AD	US-6,495,738	12-17-2002	FOLKERTS et al.	
	AE	US-6,552,250	04-22-2003	NYKIFORUK et al.	
/DK/	AF	US-6,342,658	01-29-2002	DEBONTE et al.	

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
/DK/	CA	MAUGHAN et al., "In Vitro Cell", Dev. Biol.-Plant, July-August 1999, Vol. 35, pages 344-349			
	CB	SILK et al., "Plant Molecular Biology", 1994, Vol. 26, pages 989-993			
	CC	"Soybean Somatic Embryogenesis and Transformation", 3 pages, dated June 10, 2004, http://www.cropsoil.uga.edu/soy-engineering/soytransformation.html			
	CD	"Soybean Transformation", 7 pages, downloaded May 16, 2005 http://www.oardc.ohio-state.edu/plantranslab/d20.htm			
	CE	ZHANYUAN ZHANG, "TRANSFORMATION OF RECALCITRANT CROP SPECIES: A CASE STUDY ON AGROBACTERIUM-MEDIATED TRANSFROMATION OF SOYBEAN AND ITS IMPLICATION TO MAISE TRANSFORMATION", Plant Transformation Core Facility, 1 page, dated January 13-17-, 2001 http://www/intl-pag.org/9/abstracts/W38_05.html			
	CF	MCALVIN et al., " TRANSGENIC EXPRESSION OF THE SOYBEAN APYrase IN LOTUS JAPONICUS ENHANCES NODULATION1", Plant Physiology, April 2005, Vol. 137, page 1456-1462			
	CG	JAIWAL et al., " STRATEGIES TO DEAL WITH THE CONVERN ABOUT MARKER GENES IN TRANSGENIC PLANTS: SOME ENVIRONMENT-FRIENDLY APPROACHES", Current Science, Vol. 83, No. 2, July 25, 2002, pages 128-136			
	CH	MORTEN JOERSBO, "ADVANCES IN THE SELECTION OF TRANSGENIC PLANTS USING NON-ANTIBIOTIC MARKER GENES", PHYSIOLOGIA PLANTARUM, Vol. 111, 2001, pages 269-272			
	CI	MIKI et al., " SELECTABLE MARKER GENES IN TRANSGENIC PLANTS: APPLICATIONS, ALTERNATIVES AND BIOSAFETY", Journal of Biotechnology, Vol. 107, 2004, pages 193-232			
/DK/	CJ	Suryadevara S. RAO et al., " LYSINE-THREONINE AND LYSINE-ANALOG S-(2-AMINOETHYL)-L-cysteine as Alternative Non-antibiotic selection System for Soybean somatic Embryos", 1 Page , presented at Conference in Barcelona, Spain, during June 23-28, 2003.			

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Examiner Signature	/David Kruse/ (03/19/2008)	Date Considered	03/19/2008
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